

KEITH R. McCALL
STATE REPRESENTATIVE
313 SOUTH OFFICE BUILDING
HOUSE BOX 202020
HARRISBURG, PENNSYLVANIA 17120-2020
PHONE: (717) 783-1375
FAX: (717) 772-1231

DISTRICT OFFICES:

301 E. BERTSCH STREET
LANSFORD, PENNSYLVANIA 18232
PHONE: (570) 645-7585
FAX: (570) 645-9526

800 MAHONING STREET, SUITE 2
LEHIGHTON, PENNSYLVANIA 18235-1246
PHONE: (610) 377-6363
FAX: (610) 377-5675



HOUSE OF REPRESENTATIVES

COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

Scanned

DEC 03 2001

FCC Mail Room

DOCKET FILE COPY ORIGINAL

COMMITTEES:

TRANSPORTATION, DEMOCRATIC CHAIRMAN
POLICY COMMITTEE

NORTHEAST DELEGATION
STATE TRANSPORTATION COMMISSION
RAIL FREIGHT ADVISORY COMMITTEE

RAILROAD SYSTEM CHANGES TASK FORCE
PA PEDALCYCLE AND PEDESTRIAN ADVISORY
COMMITTEE
PA AVIATION ADVISORY COMMITTEE

Ms. Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
Portals II
445 Twelfth Street, SW
Suite TW-A325
Washington, DC 20554

99-2001

**RE: In the Matter of Common Carrier Bureau Seeks
Comments on the Petitions of Representative Keith R. McCall
and Other Pennsylvania State Representatives and the
Louisiana Public Service Commission Requesting Delegated
Authority to Implement Number Conservation Measures**

Dear Ms. Salas,

I have enclosed for filing one original and four copies of Representative Keith R. McCall's Reply Comments in the above referenced matter.

Please acknowledge receipt of this filing on the additional copy provided and return it in the enclosed stamped, self-addressed envelope. Thank You.

Sincerely,

Audrey P. Powell
Research Analyst

Enclosure:

cc: Carmell Weathers, Network Services Division

No. of Copies 14
List ABOVE

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Scanned

DEC 03 2001

FCC Mail Room

FCC MAIL ROOM

In the Matter of

Common Carrier Bureau Seeks Comments
On the Petition of Representative Keith R.
McCall and Other Pennsylvania State
Representatives and the Louisiana
Public Service Commission Requesting
Authority to Implement Number
Conservation Measures

:
:
:
:
:
:
:

NSD File No. L-01-113
NSD File No. L-01-147

CC Docket 96-98
CC Docket 99-200

REPLY COMMENTS OF
REPRESENTATIVE KEITH R. McCALL

Representative Keith R. McCall (Petitioner) respectfully submits these Reply Comments in response to comments filed pursuant to the Public Notice released by the Federal Communications Commission (FCC) in the above captioned proceeding on October 9, 2001.

I. BACKGROUND

The Petition of Representative Keith R. McCall and Members of the Northeast Delegation of the Pennsylvania House of Representatives Requesting That Additional Authority be Delegated to the Pennsylvania Public Utility Commission to Implement Additional Number Conservation Measures (McCall Petition) was filed with the FCC on June 8, 2001. The Petitioner requested that the FCC delegate additional authority to the Pennsylvania Public Utility Commission (PAPUC) to implement thousands-block number pooling in the 570 area code (or NPA) in Northeastern Pennsylvania. The

Petitioners asserted that delegation of pooling authority to the PAPUC would help the PAPUC better manage numbering resources in 570, thereby prolonging the life of the area code. Subsequently, The FCC issued a Public Notice on October 9, 2001, giving interested parties the opportunity to file comments on the *McCall Petition* by October 23, 2001, and reply comments by November 5, 2001. The Petitioner filed comments with the FCC that sought FCC forbearance on the *McCall Petition* because of collaborations on the State-level and subsequent action by the PAPUC, which resulted in a PAPUC Order approving the implementation of thousands-block number pooling in the 570 NPA by voluntary industry consensus.¹ The Petitioner sought forbearance until February 28, 2002; the date voluntary thousands-block number pooling is scheduled to be implemented in 570 pursuant to the PAPUC Order.

II. DISCUSSION AND RESPONSE TO COMMENTS

In these Reply Comments, the Petitioner asserts support of the comments filed by the Pennsylvania Office of Consumer Advocate in this proceeding on October 23, 2001, and reiterates the request that the FCC withhold further consideration of the *McCall Petition* so that thousands-block number pooling can be voluntarily implemented in the 570 NPA.

As explained in the Pennsylvania *Order*, the Petitioner submits that the FCC has sole authority over the administration of numbering, including thousands-block number pooling, but may, at its discretion, delegate numbering authority to the several state

¹ See, *Implementation of Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes*, Docket Nos. P-00961071F0002 and P-00961071F0003, August 9, 2001.

commissions.² Although the FCC had permitted a limited number of state commissions to experiment with pooling trials early on, as explained in the *Pennsylvania Order*, it declined to grant state commissions the authority to order mandatory number pooling but continued to encourage states to implement voluntary pooling trials that conformed with FCC guidelines. Consequently, the language of the *Pennsylvania Order* does not place a prohibition on the implementation of voluntary thousands-block number pooling trials as long as such trials do not violate FCC dictates in the area of numbering and carrier participation is voluntary. The Petitioner therefore submits that since an area code relief plan for the 570 NPA has been filed and is under consideration by the PAPUC and since the affected carriers have jointly agreed to participate in voluntary accelerated thousands-block number pooling in the area code and since the PAPUC has issued an Order approving the voluntary pooling plan which sets forth a timeline for the implementation of pooling in 570, the FCC should refrain from further consideration of the *McCall Petition* so that thousands-block number pooling can be implemented as scheduled in 570 on February 28, 2002.

In its comments, the PAPUC, while acknowledging its support of the *McCall Petition*, asked the FCC to clarify whether the 570 [and 717] voluntary pools would become a part of the national platform on or before March 15, 2002. The PAPUC maintains that the failure to make the voluntary pools a part of the national network will negate the efforts of the parties involved in developing the voluntary pooling plan and take away the opportunity for citizens to benefit from national pooling. The Petitioner respectfully asserts that such clarification may not be needed since the FCC has given

² *In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717*, Memorandum Opinion and Order and Order on Reconsideration 13 FCC Rcd 190029 (1998).

state commissions sufficient notice on how the national rollout of thousands-block number pooling will be conducted and the categories of NPAs that will receive priority on the national rollout schedule.³ In that Report and Order (referred to as the *Numbering Resource Optimization Order*), the FCC stated that “*Our determination of which NPAs should be placed on the initial rollout schedule will be based on three categories of NPAs... 1) NPAs that were initially pooled or scheduled to be pooled pursuant to our delegations of pooling authority to state commissions; 2) jeopardy NPAs in the largest 100 MSAs which have a life of one year or more; 3) new NPAs... The initial rollout schedule will also include jeopardy NPAs from within the largest MSAs, along with NPAs from state-ordered pooling trials.*” The FCC further stated that it would permit NPAs that were created from a geographic split to be pooled, even though such NPAs are essentially new NPAs with a geographic identification that is different from that of the original NPA. The 570 area code was crafted from a geographic split of the 717 area code. The FCC has long alluded to the criteria that may qualify NPAs for inclusion on the national rollout schedule. Obviously, 570 meets a specific qualifier; i.e., it is a state-ordered pooling trial with a scheduled implementation date. However, as a state-ordered voluntary pool, thousands-block number pooling in 570 will precede the national rollout. The Petitioner respectfully submits that clarification of whether the 570 NPA [and 717] will be included in the national schedule may not be needed, especially since it appears that the FCC has laid the foundation for including or at least recognizing such voluntary pools in the national framework. Moreover, NeuStar has revealed that voluntary state ordered pooling trials slated for implementation before the national rollout will be

³ *In the Matter of Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rule Making, CC Docket 96-200, March 2000.

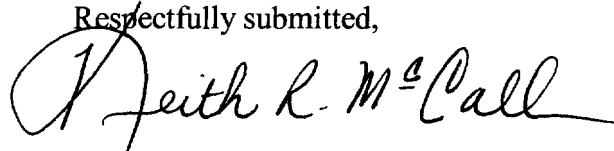
grandfathered into the national system. The Petitioner further submits that making the 570 NPA part of the national framework is not essential to implementation of voluntary pooling in the area code but may serve to delay implementation and dismantle the pooling timeline that has been established by the PAPUC.

III. CONCLUSION

The Petitioner commends the PAPUC and the FCC for their steadfast dedication to developing and implementing strategies designed to improve the utilization and allocation of numbering resources in the Commonwealth of Pennsylvania and, thereby, help prolong the life of the North American Numbering Plan. Nevertheless, the Petitioner must agree with the comments filed by the PAOCA in this matter and respectfully ask the FCC to hold in abeyance further consideration of the *McCall Petition* so that thousands-block number pooling can be implemented in the 570 NPA pursuant to the PAPUC Order without further obstacle and delay. As the PAOCA stated in its initial Comments, “thousands-block number pooling is anticipated to begin on February 28, 2002 in the 570 area code. If this occurs the *McCall Petition* will be rendered moot.” Accordingly, the Petitioner respectfully suggests that no clarification may be needed regarding the status of the 570 and 717 area codes in the national rollout. The Petitioner concludes that Neustar’s commitment in this matter is sufficient to proceed with the

implementation of the voluntary pools as jointly agreed to by the affected carriers and as subsequently christened by the PAPUC in its Order directing the *Implementation of Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes*.

Respectfully submitted,

A handwritten signature in black ink that reads "Keith R. McCall". The signature is fluid and cursive, with the first name "Keith" being the most prominent part.

Rep. Keith R. McCall
State Legislator
122nd Legislative District

By: Audrey P. Powell
Research Analyst

Pennsylvania House of Representatives
P.O. Box 202020
Harrisburg, PA 17120-2020
717.783.1375

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

Common Carrier Bureau Seeks Comments	:	NSD File No. L-010-113 (PA)
On The Petition of Representative Keith R. McCall and Other Pennsylvania State Representatives and the Louisiana Public Service Commission Requesting Delegated Authority to Implement Number Conservation Measures	:	NSD File No. L-01-147 (LA)
	:	CC Docket No. 96-98
	:	CC Docket No. 99-200

CERTIFICATE OF SERVICE

I, Audrey P. Powell, hereby certify that I have, on this 2nd day of November 2001, served an original and four true and correct copies of the Reply Comments of Representative Keith R. McCall in this proceeding upon the Secretary of the Federal Communications Commission by United States Postal Service Express Mail and that I have served one true and correct copy upon certain other parties listed below by U. S. Postal Service First Class Mail.

Via U.S. Postal Service Express Mail:

Magalie R. Salas, Secretary
Office of the Secretary
Federal Communications Commission
Portals II
445 Twelfth Street, SW
Suite TW-A325
Washington, DC 20554

United States Postal Service First Class Mail

Carmell Weathers
Network Services Division
Federal Communications Commission
Portals II
445 Twelfth Street, SW
Room 6-B153
Washington, DC 20554

Dorothy Attwood, Chief
Common Carrier Bureau
Federal Communications Commission
1919 M Street, NW Room 500
Washington, DC 20554

Brent Struthers, Chief Regulatory Matters
NeuStar
1120 Vermont Avenue, NW, Suite 550
Washington, DC 20005

Glenn R. Thomas, Chairman
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Robert K. Bloom, Commissioner
Pennsylvania Public Utility Commissioner
P. O. Box 3265
Harrisburg, PA 17105-3265

Aaron Wilson, Jr., Commissioner
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Terrence Fitzpatrick, Commissioner
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Irwin A. Popowsky, Consumer Advocate
Pennsylvania Office of Consumer Advocate
5th Floor, Forum Place
Harrisburg, PA 17101

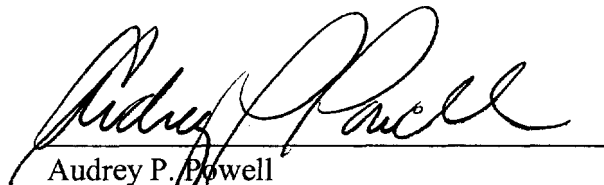
Bernard A. Ryan, Jr. Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Phillip F. McClelland
Office of Consumer Advocate
5th Floor, Forum Place
555 Walnut Street
Harrisburg, PA 17101

Deanne O'Dell
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

June Perry
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105

International Transcription Service
1231 20th Street, NW
Washington, DC 20036



Audrey P. Powell
Research Analyst
Pennsylvania House of Representatives
P.O. Box 202020
Harrisburg, PA 17120